

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to FIG. 25. This sheet, which includes only FIG. 25, replaces the original sheet including only FIG. 25. FIG. 25 has been modified to indicate that it illustrates prior art.

Attachments:        Replacement Sheet

### **REMARKS**

Claims 1-17 have been amended. No claims have been canceled or added. Accordingly, claims 1-17 remain pending in this application.

#### **Priority**

Applicants appreciate the Examiner's acknowledgment of the claim for priority. Applicants are still attempting to obtain a certified copy of the priority document, and will file the certified copy as soon as Applicants' undersigned attorneys are in receipt of same.

#### **Specification**

The Abstract has been amended to conform to US practice.

#### **Drawings**

Drawing figure 25 has been amended to indicate that figure 25 illustrates prior art.

#### **Claim Objections**

The claims have been amended to overcome the objections raised by the Examiner in section 3 of the Office Action. The claims, as amended, are believed to conform to US practice.

### **Double Patenting Rejection**

While making no admission as to the appropriateness of the rejection, Applicants have submitted a Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Pending "Reference" Application with this Amendment to overcome the provisional double patenting rejection of claims 11 and 12 based on claims 7 and 8 of co-pending US Application No. 09/930,215.

### **35 U.S.C. §101**

Claims 13-17 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. These claims have been amended to be directed to a computer readable medium to overcome this rejection, and are now believed to fall within at least one of the four statutory categories of invention.

### **35 U.S.C. §102**

Claims 13-17 stand rejected under 35 U.S.C. §102(e) as being anticipated by Hashimura (U.S. Patent No. 6,147,826). These rejections are traversed as follows.

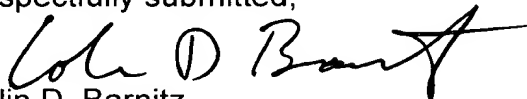
Claim 13 and amended claim 16 recite that "said PLO\_SYNC and said data are recorded to be adjacent to each other." However, according to Hashimura, "SB" (Sync byte pattern) can be found between "PLO" data and "DATA." (See, e.g., FIGS. 3A-3C, 6A-6D, 8A-8D, and 10A-10E.) Accordingly, Hashimura teaches PLO and DATA that are not adjacently recorded. Thus, a rejection of claims 13 and 16

under 35 U.S.C. §102 cannot stand. Further, claims 14-15 and 17 are allowable at least because they depend from allowable base claims.

**Conclusion**

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Colin D. Barnitz", with a stylized flourish at the end.

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